

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

DYNAENERGETICS EUROPE GMBH,
and DYNAENERGETICS US, INC.,

Plaintiffs,

v.

NEXUS PERFORATING LLC,

Defendant.

Civil Case No.: 4:21-cv-00280

DECLARATION OF JOHN K. BUCHE

I, John K. Buche, do hereby declare under penalty of perjury under 18 U.S.C. §1001, that:

1. I am over the age of 18, have never been convicted of a felony, and am in all ways qualified to make this declaration.

2. I am an attorney licensed to practice in the State of Texas and the State of California. I am the principal of the law firm Buche & Associates, P.C., counsel for Nexus Perforating LLC. This declaration is made of facts and matters within my own personal knowledge and if called as a witness, I could, and would, testify thereto. I make this declaration in connection with Defendant Nexus Perforating LLC's Motion to Stay Litigation Pending Post-Grant Reviews and *Ex Parte* Reexamination.

3. Attached herein as Exhibit A is a true and correct copy of an excerpt of the *PTAB Trial Statistics August 2021 IPR, PGR, CMB* found at https://www.uspto.gov/sites/default/files/documents/ptab_aia_20210831.pdf.

4. Attached herein as Exhibit B is a true and correct copy of an excerpt of the *Ex*

Parte Reexamination Filing Data – September 30, 2020 found at
https://www.uspto.gov/sites/default/files/documents/ex_parte_historical_stats_roll_up_21Q1.pdf.

5. Attached herein as Exhibit C is a true and correct copy of the electronic acknowledgement receipt for the *ex parte* reexamination filed on September 28, 2021.

Date: September 28, 2021

/s/ John K. Buche
John K. Buche